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JUL 17 2006

Attorney Docket No. 5405-280

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Koeberl et al.

Serial No. 10/761,530

Filed: January 21, 2004

For: *Constructs for Expressing Lysosomal Polypeptides*

Confirmation No.: 3856

Group Art Unit: 1652

Examiner: Charles L. Patterson, Jr.

Date: July 17, 2006

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Claims 1-72 are pending in this application. In the outstanding Restriction Requirement dated June 22, 2006, claims 1-72 were restricted into five groups. In response to the Restriction Requirement, Applicants elect the claims of Group I (claims 1-18 and 21-29) with traverse.

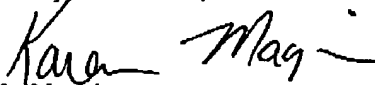
The election is with traverse on the basis that it would not present a serious burden to search and examine claims 1-72 on the merits concurrently (see, MPEP § 803). In particular, it would not present a serious burden to search and examine the claims of Groups I to III concurrently because all recite a chimeric polypeptide comprising a secretory signal sequence operably linked to a lysosomal polypeptide, and further a search of the claims of Group I encompasses the same class and subclass as the claims of Group III.

Accordingly, the restriction of claims 1-72 should be reconsidered and withdrawn.

Further, should the restriction be maintained, once allowable subject matter is identified, the restriction should be withdrawn with respect to the method claims of Group III (claims 30-37), and these claims should be examined on the merits.

This application is now in condition for substantive examination, which action is respectfully requested.

Respectfully submitted,


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Katie Wu

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Signature

Katie Wu

Typed or Printed Name of Person Signing Certificate

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Submittal of:

- Cover page (1 page)
- Response to Restriction Requirement (1 page)

Total pages: 2

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